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In The United States District Court
For The District Of Delaware

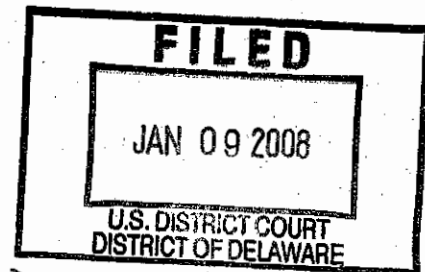
James W. Riley,
Plaintiff,

v.

Stanley Taylor, et Al.,
Defendants.

x
x
x
x
x
x
x
x
x

C.A. No. #06-01-GMS



Plaintiff James Riley's Motion
For Leave To Depose Of Defendant
CMS' Doctor Louis Desrosiers

Comes Now Plaintiff James W. Riley, pro se, who respectfully moves this Honorable Court to enter an Order granting plaintiff the right to depose Louis Desrosiers, a contract doctor employed by defendant Correctional Medical Services (CMS). In support of this deposition request, plaintiff state the following:

1. Plaintiff James Riley is an inmate incarcerated at the Delaware Correctional Center in Smyrna, Delaware.

2. Plaintiff wishes to depose CMS' doctor Louis Desrosiers whom on several occasions examined plaintiff's rectal dysfunction problem and recommended specialized medical care by independent doctors. Doctor Desrosiers' decision to have plaintiff examined by

Specialist is unknown and defendant CMS have refused to provide plaintiff copies of the medical records pertaining to doctor Desrosiers' examinations of plaintiff as part of his discovery requests.

3. This request to depose Dr. Desrosier is part of plaintiff's right to discovery in this case as established by this Court's September 26, 2007 Scheduling Order.

4. The discovery deadline in this matter is March 26, 2008 and no discovery requests have been fulfilled as of to date due to defendants deliberate bad faith conduct to cause unreasonable delay.

5. Fed. R. Civ. P. 30 (a) (2) govern the deposition process involving an incarcerated individual.

6. An appropriate Order shall be entered by this Court granting leave for plaintiff to depose defendant CMS' doctor Louis Desrosiers.

Wherefore, Plaintiff Riley respectfully request that this Honorable Court grant his Motion For Leave To Depose Doctor Desrosiers.

Date: January 6, 2008

James W. Riley

James W. Riley, pro se
Delaware Correctional Center
1181 Paddock Road
Smyrna, Delaware 19977

CERTIFICATE OF SERVICE

I, James W. Riley, hereby certify that
I have served a true and correct copy of the attached motion upon the following party, on
the 6 day of January, 2008.

Ophelia M. Waters
Deputy Attorney General
Department of Justice
820 N. French St.
Wilmington, Dela. 19801

Kevin J. Connors
1220 N. Market St., 5th Fl.
P.O. Box 8888
Wilmington, Dela.
19899-8888

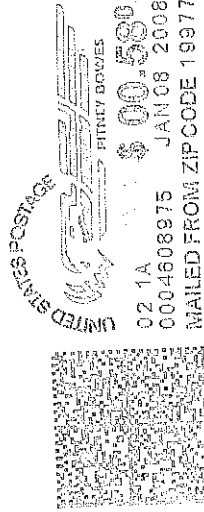
1 / 6 / 08
Date signed

James W. Riley
Signature of Movant (Notarization not required)

1/M James Riley
SBI# 165716 UNIT main Bldg-22
DELAWARE CORRECTIONAL CENTER
1181 PADDOCK ROAD
SMYRNA, DELAWARE 19977

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